

REMARKS

Claims 1-39 were pending in the present application. Claims 1-15 and 36-38 have been amended to improve clarity and antecedent basis and to place the claims in more typical U.S. format. No claims have been canceled or added. Therefore, claims 1-39 remain pending in the application.

Allowable Subject Matter

The Examiner is sincerely thanked for indicating that claims 6-15 contain allowable subject matter.

Prior Art Rejections

Claims 1-5 and 16-39 are rejected under 35 U.S.C. §102(b) as being anticipated by, or under 35 U.S.C. §103(a) as being unpatentable over, U.S. Patent No. 5,843,657 to Liotta et al. (hereinafter "Liotta"). Applicants respectfully traverse these rejections for at least the following reasons.

Claim 1 recites numerous patentable features, including: 1) cutting, with a focused laser beam having a defined cut width, along an incomplete cut line largely enclosing the specimen region of interest, such that 2) there remains between a beginning and end of the incomplete cut line a stable web of defined width by way of which the specimen region of interest is joined to the surrounding specimen, and 3) severing the web with a laser pulse, directed onto the web, of a focused laser beam having an enlarged cut width enlarged as compared to said defined cut width. Liotta does not teach, disclose, or suggest any of these features.

Liotta discloses a method of microdissection including extracting a selected region of cells from a tissue sample by providing a transfer surface having an activatable layer which provides chemical or electrostatic adherence to the selected region. (Abstract.) The activatable layer may be activated by laser irradiation. (Figs. 8a to 8d and col. 13, lines 4-17.) In other words, Liotta discloses only activating the activatable layer, by laser irradiation, so that the transfer surface adheres to the selected region of cells, which may then be removed from the tissue sample by removing the transfer surface.

Regarding 1), Liotta does not teach, disclose, or suggest cutting anything with a focused laser beam. The removal of selected region "A" in Fig. 8d is due to its adherence to adhesive layer 32, not any cutting power of the laser energy 36.

Regarding 2), Liotta does not teach, disclose, or suggest that there remains between a beginning and end of the incomplete cut line a stable web of defined width by way of which the specimen region of interest is joined to the surrounding specimen. First, Liotta does not disclose any incomplete cut line having a beginning and end, and therefore does not disclose anything, particularly a web, between a beginning and end of a cut line. Second, nothing in Liotta even corresponds to a web of defined width by way of which the specimen region of interest is joined to the surrounding specimen.

Regarding 3), Liotta does not teach, disclose, or suggest severing the web with a laser pulse, directed onto the web, of a focused laser beam having an enlarged cut width enlarged as compared to said defined cut width. First, because Liotta does not disclose the web as recited in claim 1, Liotta cannot disclose severing such a web. Second, as discussed, the laser disclosed in Liotta is configured for activating the activatable layer, not for cutting or severing anything. Third, Liotta does not disclose focused laser beams such that one has a cut width enlarged as compared to the other.

Therefore, claim 1, and all claims dependent therefrom, are believed to be patentable over Liotta. Withdrawal of the rejections is respectfully requested.

Claims 16-39 contain similar limitations and are believed to be patentable over Liotta for at least some of the same reasons. For example, independent claim 16 recites 1) cutting with a laser beam 2) along an incomplete cut line such that 3) there remains a stable web by way of which the specimen region of interest is joined to the surrounding specimen. As discussed, Liotta does not teach, disclose, or suggest any of these features. Withdrawal of the rejections is respectfully requested.

Conclusion

Applicants believe that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

Respectfully submitted,

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